

REPORT / RECOMMENDATION



To: Edina Transportation Commission

Agenda Item #: VI. C.

From: Mark K. Nolan, AICP, Transportation Planner

Action ☒

Discussion ☐

Date: February 20, 2014

Information ☐

Subject: Ordinance Discussion: Biking on Sidewalks

Action Requested:

Review, discuss and forward recommendations to City Council in the form of an advisory communication.

Information / Background:

At the August 16, 2012 ETC meeting a discussion was held regarding the status of the Edina ordinance prohibiting people from riding or parking a bicycle on a sidewalk in Edina. The month prior, the Bike Edina Task Force recommended changing the ordinance to allow bicycles on sidewalks (with noted exceptions). However, after discussion at the August 16 meeting (which included an Edina police officer) the ETC moved to table the issue for a later date.

This issue was revisited at the next (September 20) ETC meeting, where the following motion was carried:

1. Forward the BETF memo and recommendation as background information.
2. Recommend that the City Council update Ordinance 1400.07, Subd. 3 by inserting the word "motor" before "vehicle" so that it reads: "No motor vehicle shall be parked or driven on or along a sidewalk."
3. Recommend that the City Council update Ordinance 1230.03G by inserting the word "motor" before vehicle so that it reads: "...no person shall in any park or publicly owned property: Drive or park a motor vehicle on any area not designated for parking or travel."
4. Recommend that the City Council eliminate Ordinance 1425 – Bicycle Registration.

However, this issue was never forwarded on to City Council for consideration.

The Draft Edina Active Routes to School (ARTS) Plan, which was presented to the ETC at its January 16, 2014 meeting, recommends changing the ordinance to allow people to ride on sidewalks in Edina. When this plan was presented to City Council at its February 3 meeting, several councilmembers expressed a desire to revisit this topic.

For reference, the following is an excerpt from the Edina City Code:

Edina Code of Ordinances

Sec. 26-6. General rules for drivers.

- (a) *Stop for school stop signs.* Every driver of a vehicle shall stop at a sign marked "Stop, School" before entering an intersection.
- (b) *Backing.* No person in control of any vehicle shall back the vehicle without ample warning. While backing, care must be exercised not to injure persons or property. In no case, shall any vehicle be backed around a corner at or into an intersection of streets or highways.
- (c) *Driving or parking on sidewalk.* **No vehicle shall be parked or driven on or along a sidewalk.**
- (d) *Quiet zones.* On any street in the vicinity of any hospital or other institution in which sick or wounded persons are cared for or treated, where a sign is displayed containing the words "Hospital, Quiet," no person shall make or cause to be made by any person, or object under that person's control any unnecessary noise by fast driving, ringing of bells, blowing of horns, whistles or other devices, or instruments under that person's control, or in any other way, in such vicinity, so as to unreasonably disturb the peace, comfort or quiet of any patient of such hospital or institution.

(Code 1970; Code 1992, § 1400.07; Ord. No. 1401; Ord. No. 1401-A1, 5-1-1974; Ord. No. 1401-A2, 3-24-1976; Ord. No. 1401-A3, 5-12-1976; Ord. No. 1401-A4, 11-24-1976; Ord. No. 1401-A5, 3-5-1980; Ord. No. 1401-A6, 8-5-1981; Ord. No. 1401-A7, 4-28-1982; Ord. No. 613, 5-16-1990; Ord. No. 2000-7, 7-5-2000; Ord. No. 2011-19, 12-6-2011; Ord. No. 2012-11, 5-1-2012)

Attachments:

Minnesota State Statute 169.222 Operation of a Bicycle
Bike Edina Task Force Bike Ordinance Memo dated July 14, 2012
Meeting Minutes from August 16, 2012 ETC Meeting
Meeting Minutes from September 20, 2012 ETC Meeting

169.222 OPERATION OF BICYCLE.

Subdivision 1. **Traffic laws apply.** Every person operating a bicycle shall have all of the rights and duties applicable to the driver of any other vehicle by this chapter, except in respect to those provisions in this chapter relating expressly to bicycles and in respect to those provisions of this chapter which by their nature cannot reasonably be applied to bicycles.

Subd. 2. **Manner and number riding.** No bicycle, including a tandem bicycle, cargo or utility bicycle, or trailer, shall be used to carry more persons at one time than the number for which it is designed and equipped, except an adult rider may carry a child in a seat designed for carrying children that is securely attached to the bicycle.

Subd. 3. **Clinging to vehicle.** Persons riding upon any bicycle, coaster, roller skates, toboggan, sled, skateboard, or toy vehicle shall not attach the same or themselves to any street car or vehicle upon a roadway.

Subd. 4. **Riding rules.** (a) Every person operating a bicycle upon a roadway shall ride as close as practicable to the right-hand curb or edge of the roadway except under any of the following situations:

- (1) when overtaking and passing another vehicle proceeding in the same direction;
- (2) when preparing for a left turn at an intersection or into a private road or driveway;
- (3) when reasonably necessary to avoid conditions, including fixed or moving objects, vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe to continue along the right-hand curb or edge; or
- (4) when operating on the shoulder of a roadway or in a bicycle lane.

(b) If a bicycle is traveling on a shoulder of a roadway, the bicycle shall travel in the same direction as adjacent vehicular traffic.

(c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two abreast and shall not impede the normal and reasonable movement of traffic and, on a laned roadway, shall ride within a single lane.

(d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle upon a sidewalk within a business district unless permitted by local authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their jurisdiction.

(e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe distance when overtaking a bicycle or individual proceeding in the same direction on the bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

(f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

(g) A person may operate an electric-assisted bicycle on the shoulder of a roadway, on a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph (b), as applicable.

Subd. 5. **Carrying articles.** No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars or from properly operating the brakes of the bicycle.

Subd. 6. **Bicycle equipment.** (a) No person shall operate a bicycle at nighttime unless the bicycle or its operator is equipped with (1) a lamp which emits a white light visible from a distance of at least 500 feet to the front; and (2) a red reflector of a type approved by the Department of Public Safety which is visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A bicycle equipped with lamps that are visible from a distance of at least 500 feet from both the front and the rear is deemed to fully comply with this paragraph.

(b) No person may operate a bicycle at any time when there is not sufficient light to render persons and vehicles on the highway clearly discernible at a distance of 500 feet ahead unless the bicycle or its operator is equipped with reflective surfaces that shall be visible during the hours of darkness from 600 feet when viewed in front of lawful lower beams of headlamps on a motor vehicle. The reflective surfaces shall include reflective materials on each side of each pedal to indicate their presence from the front or the rear and with a minimum of 20 square inches of reflective material on each side of the bicycle or its operator. Any bicycle equipped with side reflectors as required by regulations for new bicycles prescribed by the United States Consumer Product Safety Commission shall be considered to meet the requirements for side reflectorization contained in this subdivision.

(c) A bicycle may be equipped with a front lamp that emits a white flashing signal, or a rear lamp that emits a red flashing signal, or both.

(d) A bicycle may be equipped with tires having studs, spikes, or other protuberances designed to increase traction.

(e) No person shall operate a bicycle unless it is equipped with a rear brake or front and rear brakes which will enable the operator to make a braked wheel skid on dry, level, clean pavement. A bicycle equipped with a direct or fixed gear that can make the rear wheel skid on dry, level, clean pavement shall be deemed to fully comply with this paragraph.

(f) A bicycle may be equipped with a horn or bell designed to alert motor vehicles, other bicycles, and pedestrians of the bicycle's presence.

(g) No person shall operate upon a highway any two-wheeled bicycle equipped with handlebars so raised that the operator must elevate the hands above the level of the shoulders in order to grasp the normal steering grip area.

(h) No person shall operate upon a highway any bicycle which is of such a size as to prevent the operator from stopping the bicycle, supporting it with at least one foot on the highway surface and restarting in a safe manner.

Subd. 6a. **Operator age.** No person under the age of 15 shall operate an electric-assisted bicycle.

Subd. 7. **Sale with reflectors and other equipment.** (a) No person shall sell or offer for sale any new bicycle unless it is equipped with reflectors and other equipment as required by subdivision 6, paragraphs (b) and (e) and by applicable regulations for new bicycles prescribed by the United States Consumer Product Safety Commission.

(b) Notwithstanding paragraph (a), a new bicycle may be sold or offered for sale without pedals if the bicycle otherwise meets the requirements of paragraph (a).

Subd. 8. **Turning, lane change.** An arm signal to turn right or left shall be given continuously during the last 100 feet traveled by the bicycle before turning, unless the arm is needed to control the bicycle, and shall be given while the bicycle is stopped waiting to turn.

Subd. 9. **Bicycle parking.** (a) A person may park a bicycle on a sidewalk unless prohibited or restricted by local authorities. A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

(b) A bicycle may be parked on a roadway at any location where parking is allowed if it is parked in such a manner that it does not obstruct the movement of a legally parked motor vehicle.

Subd. 10. **Bicycle events.** (a) Bicycle events, parades, contests, or racing on a highway shall not be unlawful when approved by state or local authorities having jurisdiction over that highway. Approval shall be granted only under conditions which assure reasonable safety for all participants, spectators and other highway users, and which prevent unreasonable interference with traffic flow which would seriously inconvenience other highway users.

(b) By agreement with the approving authority, participants in an approved bicycle highway event may be exempted from compliance with any traffic laws otherwise applicable thereto, provided that traffic control is adequate to assure the safety of all highway users.

Subd. 11. **Peace officer operating bicycle.** The provisions of this section governing operation of bicycles do not apply to bicycles operated by peace officers while performing their duties.

History: 1978 c 739 s 12; 1986 c 444; 1987 c 255 s 14; 1993 c 326 art 4 s 2; art 7 s 2; 1995 c 72 s 2; 2012 c 287 art 3 s 29-31; art 4 s 20; 2013 c 127 s 31-34

EDINA BIKE ORDINANCE MEMO

SITUATION

Edina ordinance 1400.07, Subd. 3 prohibits people from riding or parking a bicycle on a sidewalk in Edina.

Edina ordinance Section 1425 requires registration of bicycles.

BACKGROUND

Bicycles on sidewalks—Local ordinance

Edina ordinance 1400.07, Subd. 3 reads: "No vehicle shall be parked or driven on or along a sidewalk."

A bicycle is a vehicle according to MN statute. Local ordinance therefore prohibits people from riding or parking a bicycle on a sidewalk.

City code defines a sidewalk as "An improved thoroughfare located in the public right-of-way or public easement limited to usage by pedestrians and non-motorized vehicles."

Park pathways are shown in the Comprehensive Plan in Figure 7.11 Bicycle Facilities. Some park pathways, such as those at Bredesen and most of the Promenade, have separate bicycle and pedestrian facilities. Other park pathways, such as those around Rosland Park, Centennial Lakes, and parts of the Promenade, are shared by bicycles and pedestrians. Sections of some park pathways open to bicyclists appear to be in the right-of-way, and therefore fall into the definition of sidewalk.

The bituminous path along Highway 100 west frontage road is classified as a sidewalk, although it has the appearance to many of a side path or park pathway.

The Transportation chapter of the Comprehensive Plan does not discuss bicycling on sidewalks directly, but notes: "Sidewalks and paths provide safe movement for individuals of all ages, decrease the dependency on motor vehicles, and encourage active lifestyles. An effective municipal sidewalk system provides network continuity such that there is broad geographic coverage for a range of users and uses, without notable gaps" (p. 33-34).

Bicycles on sidewalks—State statute and surrounding communities

State statute allows people to ride or park their bike on a sidewalk, except in business districts, unless prohibited by local authorities. Edina ordinance prohibits riding or parking a bike on a sidewalk. All surrounding communities appear to allow people to ride or park on the sidewalk, with some restrictions.

State statute does not allow people to ride their bikes on sidewalks in business districts, unless permitted by local authorities. Edina does not permit riding on sidewalks in business districts.

Bicycle registration

Edina ordinance section 1425 requires bicycles in Edina to be registered. The ordinance references a state statute that has been repealed. There appears to be no process for registering bicycles in Edina.

ANALYSIS

Bicycles on sidewalks generally

The dangers of riding a bicycle on a sidewalk are well documented. These dangers are largely related to cyclist behavior—for example, riding too fast, not yielding to pedestrians, and not pausing and looking before crossing a driveway or entering a street. Because the dangers are related to behavior, they can be influenced through education.

Police departments are a highly trusted source for information about bicycling and traffic safety. People of all ages and apparent skill levels are observed riding on sidewalks in Edina. Edina Police, however, are limited in their ability to educate the public about how to ride on the sidewalk safely because sidewalk riding is prohibited by code.

As cycling increases in Edina, there is an immediate need to educate the public about safe riding behaviors, including common situations where pedestrians and cyclists mix.

Cyclists, pedestrians and motorists share the same space on most streets in Edina. Cyclists and pedestrians share the same space on some park pathways. Although it is not allowed, cyclists and pedestrians currently share the same space on public sidewalks.

It is assumed the prohibition against riding on sidewalks is not widely known nor widely enforced. This raises a few questions. First, if this ordinance were widely known, would it have public support? Second, in the most common situations, would this ordinance be reasonable to enforce? For example, would it be reasonable to stop or cite a child for riding on the sidewalk in front of her house or a student riding on the sidewalk on his way to school? An ordinance that would be unreasonable to enforce in the most common situations deserves a second look.

The reasons to allow sidewalk riding are summed up in an October 2011 Los Angeles Department of Transportation memo. LA looked at whether the city should ban bicycles from sidewalks and concluded that banning bicycles from using sidewalks "is a poor option to revising and enforcing a new ordinance." Their reasons to allow bicycles to use sidewalks apply to Edina as well.

The memo includes suggested ordinance requirements that not only provide a basis for public education but also promote safe sidewalk riding behaviors. These requirements are:

- Must provide the right of way to all pedestrians and slow to a walking pace of not more than 3 miles per hour;
- Provide an audible signal—vocal or mechanical—to pedestrians to alert them to their presence;
- Slow to a walking pace at driveways; and
- Slow to a walking pace when entering an intersection;
- Reestablish provisions for banning bicycles from sidewalks in business districts or heavily congested pedestrian corridors.

Ordinance options

City code section 1400.07, subdivision 3, can be modified by inserting the word "motor" so that the ordinance reads: "No *motor* vehicle shall be parked or driven on or along a sidewalk."

This would allow bicycles to operate and park on the sidewalk as they are doing now.

Additional language can be added to the code to provide a basis for public education and promote safe sidewalk riding behaviors. This additional language is suggested below.

Bicycles on sidewalks in business districts

MN statute 169.222, Subd. 4 (d) prohibits riding a bike on a sidewalk in a business district unless permitted by local authorities.

A business district is defined as: "the territory contiguous to and including a highway when 50 percent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business" (169.011, Subd. 13).

Business districts in Edina include neighborhood commercial nodes at 44th & France, Wooddale and Valley View, Grandview, and Cahill; 50th & France; industrial areas such as along Metro Boulevard; and the Southdale area.

The reasons for allowing a person to ride a bicycle on a sidewalk apply in business districts as well. That said, there are also reasons for restrictions.

Madison, WI allows bicycling on sidewalks except where buildings abut the sidewalk (<http://www.cityofmadison.com/BikeMadison/getBiking/sidewalks.cfm>).

Edina could permit riding a bicycle on a sidewalk in business districts, except where a building is not set back from the sidewalk. This would prohibit riding a bicycle on a sidewalk at 50th & France, where there is a lot of pedestrian activity, but permit riding a bicycle on the sidewalk in business districts with very little pedestrian activity. Edina ordinance could also restrict sidewalk riding where posted.

Bicycle registration

Edina's bicycle registration ordinance references a state statute that has been repealed. There appears to be no process for registering a bicycle in Edina and the requirement to register a bicycle appears not to be enforced.

Sidewalk riding permitted, not promoted

There are important differences between permitting sidewalk riding and promoting it. While it is reasonable to ride on the sidewalk in some situations, the preferred place for bicycles is on the road. The City should continue to develop the on-road network of dedicated bicycle facilities. Public education should continue to emphasize that, as vehicles, bicycles have the right to use the road. The product of public education and facilities designed to encourage on-road cycling is a wider range of cyclists who perceive our roads as safe and fewer cyclists who feel the need to ride on the sidewalk. Those who continue to use the sidewalk will benefit from education on how to do it safely. The basis for this education can be provided in a revised bicycle ordinance.

RECOMMENDATION

The BETF recommends that the City update City code to permit the operation and parking of bicycles on all City sidewalks, including in business districts, subject to certain restrictions.

A person may operate a bicycle on a public sidewalk, including in a business district, subject to the following restrictions:

- *Yield to pedestrians (ss 169.222, subd. 4)*
- *Give audible signal to pedestrians before passing (ss 169.222, subd. 4)*
- *Slow to walking pace when pedestrians are present*
- *Slow to walking pace upon approach to and when crossing a driveway or intersection; enter driveway or intersection only when clear of traffic*
- *No riding on sidewalks in locations where buildings abut the sidewalk*
- *No riding on sidewalks where posted*
- *Bicycle parking must not obstruct pedestrian or vehicle travel (ss 169.222, subd. 9)*
- *No bicycle parking where posted (ss 169.222, subd. 9)*

The BETF recommends that the City repeal City code Section 1425 — Registration of Bicycles.

References

Edina ordinance 1400.07 General Rules for Drivers.

Subd. 3: Driving or Parking on Sidewalk. No vehicle shall be parked or driven on or along a sidewalk.

Edina ordinance Section 1425 — Registration of Bicycles

1425.01 Adoption of State Law. There is hereby adopted and incorporated herein by reference, as a provision of this Code, the provisions of M.S. Chapter 168C relating to bicycle registration, except as such provisions may be made more restrictive by this Section.

1425.02 Bicycle Registration Required. All bicycles used or ridden upon any highway, street, alley, sidewalk or other public property within the City shall be registered in the same manner and subject to the same regulations, fees and penalties as those voluntarily registered pursuant to M.S. Chapter 168C.

1425.03 Existing Permanent Licenses to Remain Valid. All existing permanent licenses granted by the City pursuant to former Ordinance No. 1421 of the City are valid as long as the licensed bicycles are in the possession of the original licensee.

History: Ord 1423 adopted 8-13-80

Reference: M.S. Chapter 168C

Statute 169.222 OPERATION OF A BICYCLE

Subd. 4 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle upon a sidewalk within a business district unless permitted by local authorities. Local authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their jurisdiction.

Subd. 4 (f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same circumstances.

Subd. 9. Bicycle parking. (a) A person may park a bicycle on a sidewalk unless prohibited or restricted by local authorities. A bicycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.

Statute 169.21 PEDESTRIAN

Subd. 2: Rights in absence of signal. (a) ... No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield.

Statute 169.011 DEFINITIONS

Subd. 4. Bicycle. "Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels except scooters and similar devices and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

Subd. 42. Motor vehicle. "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires. Motor vehicle does not include an electric personal assistive mobility device or a vehicle moved solely by human power.

Subd. 81. Street or highway. "Street or highway" means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic.

Subd. 92. Vehicle. "Vehicle" means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks.

Surrounding Communities:

Minneapolis: <http://www.ci.minneapolis.mn.us/bicycles/faq/index.htm>

Bloomington: <http://www.ci.bloomington.mn.us/code/index.php/o/page/p/695>

Richfield: Section 1335.05, <http://www.cityofrichfield.org/Residents/Codes/docs/ch13.pdf>

Hopkins: Section 1330, <http://www.hopkinsmn.com/archives/pdf/code/section1330->

bicycles.pdf

Eden Prairie: Section 7.20, subd.

2, <http://edenprairie.org/modules/showdocument.aspx?documentid=82>

St. Louis Park: No reference to sidewalk riding found in city code, but spoke with SLP Council member who said sidewalk riding is not encouraged, but it is permitted.

Minnetonka: No reference to sidewalk riding found in city code; presumption is that it is allowed.

City of Los Angeles Interdepartmental Memorandum, October 26, 2011

http://clkrep.lacity.org/online/docs/2009/09-0680_RPT_DOT_10-26-11.pdf

ROUTING

Drafted by Jennifer Janovy

Distributed to BETF for July 12, 2012 meetings. Recommendation approved by BETF at July 12, 2012 meeting.

MINUTES OF
CITY OF EDINA, MINNESOTA
TRANSPORTATION COMMISSION
COMMUNITY ROOM
AUGUST 16, 2012
6:00 P.M.

ROLLCALL Answering roll call was Members Bass, Franzen, Iyer, Janovy, LaForce, Nelson, Thompson, and Whited.

APPROVAL OF MEETING AGENDA

The agenda was amended by member Janovy to move the BETF to after Community Comment to accommodate Sgt. Olson who was in attendance for the Sidewalk Ordinance Discussion. **Motion was made by member LaForce and seconded by member Iyer approving the amended agenda. All voted aye. Motion carried.**

APPROVAL OF MINUTES

REGULAR MEETING OF JULY 19, 2012

Member Whited amended the minutes to add the following to the Streetcar Presentation to the 2nd paragraph, 2nd sentence, *'one stop parking option stands to help emphasize Southdale as a go to place; and this mode of operation is more friendly travel for seniors.'* **Motion was made by member LaForce and seconded by member Janovy to approve the amended July 19 minutes. All voted aye. Motion carried.**

COMMUNITY COMMENT

Gretchen Cooper and Bill, 58th & Chowen, said their concern has gotten progressive over the last 7 years with the number of cars that are speeding between 57th & 58th and the increase in cut thru traffic during the school year. She said one month ago she yelled at a driver going about 40-45 mph and the driver turned around, came back and yelled explicit at her and said she was speeding because she was coming down the hill. Ms. Cooper said something needs to be done. She said she is aware that speed bumps are a problem for snow plows and she knows the police are monitoring the area but the problem increases on the weekends and holidays usually. She said the drivers are both teens and adults.

Director Houle was asked if speed data was available and he said he would need to check. He said if the occurrences are at the same time every day the police can be notified for smart enforcement. A school bus was noted as a culprit that speeds through the same time every day. Mr. Houle said larger vehicles can often appear to be going faster than they really are. Member Whited said the issue is that the area is convenient for cut thru traffic and Mr. Houle said it is scheduled for reconstruction in a couple years and they can look at plans to address the issues. Member Janovy said this area has come up a few times and wondered if a slightly different approach should be taken. She said reviewing speed, volume, history of traffic safety requests and crashes is probably a good starting point but asking residents to wait a couple years might not be. Suggested solutions were putting out the speed monitor to educate drivers of how fast they are driving and adding it to the Traffic Safety Committee (TSC) report in order to track it. Mr. Houle said staff will provide all the data at the next meeting and also add this to the TSC. Member Iyer asked if staff tracks calls or issue areas and Mr. Houle said yes, they are tracked on a map.

REPORT/RECOMMENDATIONS

Sidewalk Ordinance Discussion

Member Janovy said at the TLC Bike Blvd public hearing, someone asked about bikes, strollers and wheelchairs on sidewalks and it was the first time she realized that bikes were not allowed. She brought the issue to the BETF and her report is from their discussion that recommends changing the ordinance to liberalize biking on sidewalk, allow biking on sidewalks in business districts and also allow parking on sidewalks. In conversation with the City of Minneapolis' bike

coordinator, he told her that they allow biking on sidewalks but not in business districts but he knows it happens and they are studying the issue. Peter Kelley, chair of the BETF and member Janovy met recently with Sgt. Olson to discuss the issue.

BETF liaison, Sgt. Tim Olson, was in attendance to explain the Police Department's opinion on biking on sidewalks which he said is based on safety. Sgt. Olson said allowing bikes on sidewalk would increase the safety risks at the expense of a small percentage of bikers. He said the City was aware of what they were doing when the ordinance was put together. He said further that the City is making an effort to provide bike lanes on the roads and that state statute has specific rules for biking on roadways. Sgt. Olson said he met with members Janovy and Kelley and they agreed there is a public safety issue by riding on the sidewalk. He said the department is reluctant to support open use of the sidewalk but recognizes exceptions and inconsistencies, e.g., a child learning to ride on the sidewalk and a parent riding with the child are not safety concerns because they would be riding slow; the upcoming France Avenue sidewalk project is not a concern because of the width of the sidewalk – it will not present a risk; and having parking stations on sidewalks. He said the ordinance could be modified to address these exceptions and inconsistencies. Additionally, the ordinance references a bike registration law that was repealed by the state in 2005, so it is in effect adhering to an outdated law.

Discussion

Member Whited asked about bike collisions with seniors and Sgt. Olson said to date, there have not been any collisions on sidewalks. He said they do not actively enforce the sidewalk ordinance and in fact, most ordinances are enforced based on complaints but at least the ordinance is in place when enforcement is necessary.

Member Iyer asked if the ordinance should be used for high traffic areas like 66th & Valley View versus a residential street. Sgt. Olson said the biking population is so small, it does not warrant changing the ordinance. He said the focus should instead be on what is convenient for pedestrians, not for bikers.

Member Bass said there are adults who do not like being in the streets and she sees both children and adults on sidewalks every day. She said some riders are comfortable in the streets while others are not. She said also that people do moderate their behavior accordingly and there have not been any crashes; however, they should allow for people who are making a safe choice based on comfort level and ability to do so legally. He said the ordinance is effective because there have not been any accidents and allowing for change has the potential for problems. He said the current system works well and there is no need to increase the risks to pedestrians based on a small population of bikers who already have a place to ride.

Member LaForce said the ordinance is a good policy but he also thinks it is a problem when they have ordinances that do not reflect the practices of what is going on. He said most people are probably not aware that it is illegal to ride on sidewalks and he wondered what behavior change they would see if they were to tell people. Sgt. Olson said he believes most people would prefer to not have more bikers on the sidewalk. Member Iyer said it does increase the risks if they add bikers to sidewalks. Sgt. Olson asked what is the need to put bikes on sidewalk when there is an adjacent roadway. He said the City is making strides to accommodate bikers with bike lanes like they have on 70th. He said integration of the different modes of transportation will create problems.

Motion was made by member Janovy and seconded by member Iyer to table the current discussion and allow them to think over what was learned for discussion at a later date. All voted aye. Motion carried.

Traffic Safety Committee (TSC) Report of August 1, 2012

Section A.1. Member Janovy did a revision of the speed table policy for discussion. She did not include a speed threshold because 27 mph, in context, could be considered unsafe so why wait for 30-35 mph to do something. Member Thompson ask to remove item #6 and allow for engineering judgment and member Janovy said she would prefer not to. Members Iyer and Nelson agreed that item #6 should be removed. Member Franzen said the revision is concise and well written and agreed with deleting #6. Member Janovy agreed. **Motion was made by member Iyer and seconded by**

MINUTES OF
CITY OF EDINA, MINNESOTA
TRANSPORTATION COMMISSION
COMMUNITY ROOM
SEPTEMBER 20, 2012
6:00 P.M.

ROLLCALL Answering roll call was Members Bass, Braden, Franzen, Iyer, Janovy, LaForce, Nelson, Schweiger, Sierks and Thompson.

New student member Caroline Sierks was welcomed to the ETC.

APPROVAL OF MEETING AGENDA

The agenda was amended by member Bass to reschedule the do.town update for next month's meeting. **Motion was made by member Janovy and seconded by member Iyer approving the amended agenda. All voted aye. Motion carried.**

APPROVAL OF MINUTES

REGULAR MEETING OF AUGUST 16, 2012

The minutes was amended as follows: page 2, 4th paragraph, delete "Sgt. Olson said she supports the Police Department's position that it is a good ordinance regardless of whether it is legal to do so;" page 4, 3rd paragraph, delete "City Council" and replace with "State Legislature;" 4th paragraph, add "North" before "St. Paul." **Motion was made by member Franzen and seconded by member LaForce to approve the amended August 16 minutes. All voted aye. Motion carried.**

COMMUNITY COMMENT - None.

REPORT/RECOMMENDATIONS

do.town Update

Rescheduled for next meeting.

Sidewalk Ordinance Discussion

Chair Nelson said the discussion was a continuation from last meeting. **Member Janovy made the following motion and it was seconded by member Laforce:**

1. Forward the BETF memo and recommendation as background information.
2. Recommend that the City Council update Ordinance 1400.07, Subd. 3 by inserting the word "motor" before "vehicle" so that it reads: "No motor vehicle shall be parked or driven on or along a sidewalk."
3. Recommend that the City Council update Ordinance 1230.03G by inserting the word "motor" before vehicle so that it reads: "...no person shall in any park or publicly owned property: Drive or park a motor vehicle on any area not designated for parking or travel."
4. Recommend that the City Council eliminate Ordinance 1425 – Bicycle Registration.

Member Janovy said for City Council's discussion, they would have the BETF memo and the ETC minutes for background and adding "motor" before "vehicle" is the simplest change because activities like skateboarding or inline skating would probably qualify as vehicles. She said it is more than bikes that are impacted by the code and this would change it to the

intended purpose of restricting motor vehicles. She was asked about motorized scooters and wheelchairs and she said they are considered pedestrians if being used as a substitute for walking.

Member Iyer asked if they are going against the police's recommendation and member Janovy said yes. He said he agreed with eliminating the bike registration but wondered why they were going against the police. He said he would give discretion of enforcement in the same way that discretion is given to the engineering staff. Member Janovy said the police are not enforcing the ordinance and residents are confused about the ordinance based on emails that the City Council has received. She said also that the change would bring Edina in line with surrounding communities. Chair Nelson also agreed with eliminating the bike registration and leaving everything else as is since there are no real issues. Member Janovy said parking bikes on sidewalk is currently not allowed and chair Nelson said this could be treated as an exception. Member Bass said they should support actual behavior and not dissidence. Members Thompson and Franzen also agreed with the motion. After discussion, the following vote was taken:

Ayes: Bass, Braden, Franzen, Janovy, LaForce, Schweiger, Sierks, Thompson

Nays: Iyer, Nelson

Motion carried.

Traffic Safety Committee (TSC) Report of September 5, 2012

Chair Nelson thanked staff for including photos in the report because they are very helpful in understanding the story.

Section B.1. Member Janovy asked if the request was for no parking between Bruce & Casco Avenues. Director Houle said the request was specific to the resident's address.

Member Janovy said the 85th percentile speed data is useful but asked if they could also get the number of vehicles travelling over 25 mph and Director Houle said yes. Member LaForce asked how to interpret the 85th percentile data. Director Houle explained that the industry standard is to look at the speed that 85% of drivers are travelling and member Thompson added that they look at all the recorded speeds and *the 85th percentile speed is the speed at which 85% of drivers are traveling at or under*. He said the speed limit is set based on driver behavior and people drive based on their comfort level. Director Houle will explain how the 85th percentile speed process works at the next meeting.

Section B.2. Member Thompson suggested a way finding sign to the back parking lot.

Section D - Director Houle explained that section D is there to show other issues that staff assists residents with.

Section D. 1. Member LaForce asked if the City proactively monitors overgrown vegetation and Director Houle said staff is encouraged to report clear view issues. He said the police enforce clear view and they are generally successful in getting residents to comply when complaints are received. Member Janovy noted that there is new landscaping at Concord & Oak with arborvitaes that are small now but will present a clear view issue when fully grown because of how close they are planted to the street. Director Houle said he will forward this to the police. Member Franzen said he received a letter from the City recently about trimming his trees.

Section D. 12. It was noted that it would be informative to know what advisory was given to the resident.

Section D. 13. It was noted that it was good to see the new crosswalk being noticed. Director Houle said the media has been calling him about the new style because of crosswalk incidences. Member Bass said she has noticed more kids using the sidewalk and crosswalk.

Motion made by member Janovy and seconded by member Thompson to approve the September 5 TSC report. All voted aye. Motion carried.